

SOLICITATION, OFFER AND AWARD		1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 350)		RATING		PAGE	
2. CONTRACT NO. DACW67-02-D-1014		3. SOLICITATION NO. DACW67-02-R-0023		4. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)		5. DATE ISSUED July 9, 2002	
7. ISSUED BY USA Engineer District, Seattle ATTN: CENWS-CT PO Box 3755, Seattle, WA 98124-3755 Tel: 206-764-6853 Fax: 206-764-6817		8. ADDRESS OFFER TO (If other than Item 7) See Item 7 or Handcarry to: Seattle District, USACE 4735 E. Marginal Way South Seattle, WA 98134		6. RECORD OF PURCHASE NO. W68MD9-2000-6001		PAGES	

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

SOLICITATION

9. Sealed offers in original and 5 copies for furnishing the supplies or services in the Schedule will be received at the place specified in Item 8, or if handcarried, in the depository located in Contracting Division, 2nd Floor, Col C-5 until 2:00 PM local time 8/9/2002
(Hour) (Date)

CAUTION - LATE Submissions, Modifications, and Withdrawals: Section L, Provision No. 52.214-7 or 52.215-10.
All offers are subject to all terms and conditions contained in this solicitation.

10. FOR INFORMATION CALL:	A. NAME Sharon Gonzalez	B. TELEPHONE NO. (Include area code) (NO COLLECT CALLS) (206)764-3635
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11. TABLE OF CONTENTS

(X)	SEC.	DESCRIPTION	PAGE(S)	(X)	SEC.	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE				PART II - CONTRACT CLAUSES			
<input checked="" type="checkbox"/>	A	SOLICITATION/CONTRACT FORM		<input checked="" type="checkbox"/>	I	CONTRACT CLAUSES	
<input checked="" type="checkbox"/>	B	SUPPLIES OR SERVICES AND PRICES/COST		PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACH.			
<input checked="" type="checkbox"/>	C	DESCRIPTION/SPECS./WORK STATEMENT		<input checked="" type="checkbox"/>	J	LIST OF ATTACHMENTS	
<input checked="" type="checkbox"/>	D	PACKAGING AND MARKING		PART IV - REPRESENTATIONS AND INSTRUCTIONS			
<input checked="" type="checkbox"/>	E	INSPECTION AND ACCEPTANCE		<input checked="" type="checkbox"/>	K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS	
<input checked="" type="checkbox"/>	F	DELIVERIES OR PERFORMANCE		<input checked="" type="checkbox"/>	L	INSTRS., CONDS., AND NOTICES TO OFFERORS	
<input checked="" type="checkbox"/>	G	CONTRACT ADMINISTRATION DATA		<input checked="" type="checkbox"/>	M	EVALUATION FACTORS FOR AWARD	
<input checked="" type="checkbox"/>	H	SPECIAL CONTRACT REQUIREMENTS					

OFFER (Must be fully completed by offeror)

NOTE: Item 12 does not apply if the solicitation includes the provisions at 52.214-16, Minimum Bid Acceptance Period.

12. In compliance with the above, the undersigned agrees, if this offer is accepted within 90 calendar days (60 calendar days unless a different period is inserted by offeror) from the date for receipt of offers specified above, to furnish any or all items upon which prices are offered at the price set opposite each item, delivered at the designated point(s), within the time specified in the schedule.

13. DISCOUNT FOR PROMPT PAYMENT (See Section I, Clause No. 52.232-8)	10 CALENDAR DAYS 0 %	20 CALENDAR DAYS 0 %	30 CALENDAR DAYS 0 %	CALENDAR DAYS 0 %
14. ACKNOWLEDGMENT OF AMENDMENTS (The offeror acknowledges receipt of amendments to the SOLICITATION for offerors and related documents numbered and dated:	AMENDMENT NO. R0001 R0002	DATE 19-Jul-02 17-Jul-02	AMENDMENT NO. R0003	DATE 8-Aug-02

15A. NAME AND ADDRESS OF OFFEROR Ferguson Contracting, Inc. P.O. Box 642 110 Wildcat Way Kellogg, Idaho 83837	16. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print) Donald Scott Ferguson President
15B. TELEPHONE NO. (Include area code) (208) 784-7604	17. SIGNATURE <i>Donald Scott Ferguson</i>
15C. CHECK IF REMITTANCE ADDRESS IS DIFFERENT FROM ABOVE - ENTER SUCH ADDRESS IN SCHEDULE. <input type="checkbox"/>	18. OFFER DATE 8/19/02

AWARD (To be completed by Government)

19. ACCEPTED AS TO ITEMS NUMBERED 0001 thru 0009 *	20. AMOUNT (NTE) 2,820,195.00	21. ACCOUNTING AND APPROPRIATION SEE SECTION G
22. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION: <input type="checkbox"/> 10 U.S.C. 2304(c) () <input type="checkbox"/> 10 U.S.C. 253(c) ()	23. SUBMIT INVOICES TO ADDRESS SHOWN IN (4 copies unless otherwise specified)	ITEM SEE SECTION G
24. ADMINISTERED BY (If other than Item 7) CODE	25. PAYMENT WILL BE MADE BY US Army Corps of Engineers Finance Center CEFC-AO-P 5722 Integrity Drive Millington, TN 38054-5004	27. UNITED STATES OF AMERICA CHERYL A. ANDERSON (Signature of Contracting Officer)
26. NAME OF CONTRACTING OFFICER (Type or print) CHERYL A. ANDERSON CONTRACTING OFFICER	28. AWARD DATE 13 Sept 2002	

IMPORTANT - Award will be made on this Form, or on Standard Form 26, or by other authorized official written notice.

NSN 7540-01-152-8064
PREVIOUS EDITION NOT USABLE

PerFORM (DLA)

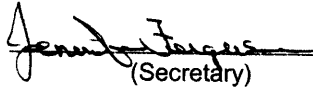
STANDARD FORM 33 (Rev. 4-85)

*Contract Line Items 0001-0006 will be awarded on Task Order 0001. Subsequent option Contract Line Items will be awarded on task order at the time the option(s) are exercised. Contract Line Items 0007-0009, and subsequent option items will be awarded on individual task orders on an as needed basis.

IF THE CONTRACTOR IS A CORPORATION OR PARTNERSHIP, THE APPLICABLE PORTION OF THE FORM LISTED BELOW MUST BE COMPLETED. IN THE ALTERNATIVE, OTHER EVIDENCE MUST BE SUBMITTED TO SUBSTANTIATE THE AUTHORITY OF THE PERSON SIGNING THE CONTRACT. IF A CORPORATION, THE SAME OFFICER SHALL NOT EXECUTE BOTH THE CONTRACT AND THE CERTIFICATE.

CORPORATE CERTIFICATE

I, Jennifer Ferguson certify that I am the Secretary Secretary of the Corporation named as Contractor herein; that Donald Scott Ferguson, who signed this contract on behalf of the Contractor was then President of said corporation; that said contract was duly signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

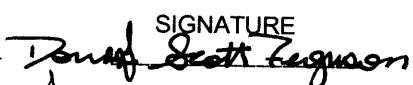
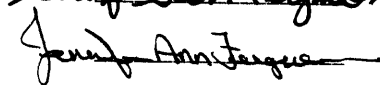
 (CORPORATE SEAL)
(Secretary)

AUTHORITY TO BIND PARTNERSHIP

This is to certify that the names, signatures and Social Security Numbers of all partners are listed below and that the person signing the contract has authority actually to bind the partnership pursuant to its partnership agreements. Each of the partners individually has full authority to enter into and execute contractual instruments on behalf of said partnership with the United States of America, except as follows: (state "none" or describe limitations, if any)
none

This authority shall remain in full force and effect until such time as the revocation of authority by any cause whatsoever has been furnished in writing to, and acknowledged by, the Contracting Officer.

(Names, Signatures and Social Security Numbers of all Partners)

NAME	SIGNATURE	SOCIAL SECURITY NO.
Donald Scott Ferguson		498-82-5082
Jennifer Ann Ferguson		519-96-3758
_____	_____	_____
_____	_____	_____

ALTERATION TO CONTRACT: The bid schedule has been altered to revise the line item numbers to facilitate entry of contract into the automated system. Therefore, the following pages replace the bid schedule submitted by the Offeror.

SECTION B SUPPLIES OR SERVICES AND PRICES/COSTS

OPERATION AND MAINTENANCE SERVICES
CENTRAL TREATMENT PLANT, BUNKER HILL SUPERFUND SITE,
KELLOGG, IDAHO, in strict accordance with Specification
No. 02025.

BASE YEAR
(13 September 2002 thru 12 September 2003)

FIXED ITEMS

ITEM	DESCRIPTION	QUANTITY	U/I	UNIT PRICE	AMOUNT
0001	Transition, Training and Orientation Activities, Including all Pre-Mobilization Submittals	1	Lump Sum		10,000.00
0002	All work for Operating and Maintaining the Central Treatment Plant Exclusive of Items 0001 and 0003 through 0005	12	Month	23,780.00	285,360.00
0003	Preventative Maintenance Program/Corrective Maintenance and Repair (See H.2.5 for Contractor's Cost Limitation)	12	Month	1,290.00	15,480.00
0004	Wastewater Treatment Chemicals				
0004AA	Wastewater Treatment Chemicals First 1,200 Tons	1200	Ton	117.15	140,580.00
0004AB	Wastewater Treatment Chemicals Over 1,200 Tons	1200	Ton	99.00	118,800.00
0004AC	Wastewater Treatment Chemicals Polymer Flocculant Note: Quantity is not to be exceeded.	350	Bag Bag = 50 lbs.	64.00	22,400.00
0005	Update O&M Manual	1	Lump Sum	10,000.00	10,000.00
0006	Contractor Changeover Transition Period. See C02220 - 1.4.2 - Applies only at end of contract period.	14	Day	0.00	0.00
TOTAL BASE YEAR FIXED ITEMS					602,620.00

B-1

REQUIREMENTS ITEMS (Indefinite Quantity Work)

0007	Labor (Service Wages) Note: All labor service quantities are not to be exceeded.				
0007AA	Trouble/Service Call (Plant Operator Time - See H.2.5. For Limits)	500	Hour	33.25	16,625.00
0007AB	Electrician	400	Hour	40.00	16,000.00
0007AC	Plumbing/Pipefitting	100	Hour	33.25	3,325.00
0007AD	Machinery Maintenance Mechanic	250	Hour	45.00	11,250.00
0007AE	Welder, Combination, Maintenance	100	Hour	45.00	4,500.00
0007AF	Laborer	500	Hour	33.25	16,625.00
0007AG	Electrical Engineer	500	Hour	65.00	32,500.00
0007AH	Mechanical Engineer	500	Hour	72.50	36,250.00
0007AJ	Civil Engineering	500	Hour	72.50	36,250.00
0007AK	Process Engineer	500	Hour	80.00	40,000.00
0007AL	Miscellaneous Labor Note: The lump sum amount is not to be exceeded.	1	Lump Sum		500,000.00
0008	Materials Allowance Note: The lump sum amount is not to be exceeded.	1	Lump Sum		1,500,000.00
0009	Per Diem Note: Amount is not to be exceeded.	50	Manday	85.00	4,250.00
TOTAL BASE YEAR REQUIREMENTS ITEMS					2,217,575.00
TOTAL PRICE FOR THE BASE YEAR					2,820,195.00

FIRST OPTION YEAR
(13 September 2003 thru 12 September 2004)

FIXED ITEMS

ITEM	DESCRIPTION	QUANTITY	U/I	UNIT PRICE	AMOUNT
1001	NOT USED				
1002	All work for Operating and Maintaining the Central Treatment Plant Exclusive of Items 1001 and 1003 through 1005	12	Month	24,000.00	288,000.00
1003	Preventative Maintenance Program/Corrective Maintenance and Repair (See H.2.5 for Contractor's Cost Limitation)	12	Month	1,290.00	15,480.00
1004	Wastewater Treatment Chemicals				
1004AA	Wastewater Treatment Chemicals First 1,200 Tons	1200	Ton	121.60	145,920.00
1004AB	Wastewater Treatment Chemicals Over 1,200 Tons	1200	Ton	102.25	122,700.00
1004AC	Wastewater Treatment Chemicals Polymer Flocculant Note: Quantity is not to be exceeded.	350	Bag Bag = 50 lbs.	64.00	22,400.00
1005	Update O&M Manual	1	Lump Sum	10,000.00	10,000.00
1006	Contractor Changeover Transition Period. See C02220 - 1.4.2 - Applies only at end of contract period.	14	Day	0.00	0.00
TOTAL FIRST OPTION YEAR FIXED ITEMS					604,500.00

REQUIREMENTS ITEMS (Indefinite Quantity Work)

1007	Labor (Service Wages) Note: All labor service quantities are not to be exceeded.				
1007AA	Trouble/Service Call (Plant Operator Time - See H.2.5. For Limits)	500	Hour	34.35	17,175.00
1007AB	Electrician	400	Hour	40.00	16,000.00
1007AC	Plumbing/Pipefitting	100	Hour	34.35	3,435.00
1007AD	Machinery Maintenance Mechanic	250	Hour	45.00	11,250.00

1007AE	Welder, Combination, Maintenance	100	Hour	45.00	4,500.00
1007AF	Laborer	500	Hour	34.35	17,175.00
1007AG	Electrical Engineer	500	Hour	65.00	32,500.00
1007AH	Mechanical Engineer	500	Hour	74.50	37,250.00
1007AJ	Civil Engineering	500	Hour	74.50	37,250.00
1007AK	Process Engineer	500	Hour	80.00	40,000.00
1007AL	Miscellaneous Labor Note: The lump sum amount is not to be exceeded.	1	Lump Sum		500,000.00
1008	Materials Allowance Note: The lump sum amount is not to be exceeded.	1	Lump Sum		1,500,000.00
1009	Per Diem Note: Amount is not to be exceeded.	50	Manday	85.00	4,250.00
TOTAL 1ST OPTION YEAR REQUIREMENTS					2,220,785.00
TOTAL PRICE FOR THE 1ST OPTION YEAR					2,825,285.00

SECOND OPTION YEAR

(13 September 2004 thru 12 September 2005)

FIXED ITEMS

ITEM	DESCRIPTION	QUANTITY	U/I	UNIT PRICE	AMOUNT
2001	Not Used				
2002	All work for Operating and Maintaining the Central Treatment Plant Exclusive of Items 1001 and 1003 through 1005	12	Month	24,175.00	290,100.00
2003	Preventative Maintenance Program/Corrective Maintenance and Repair (See H.2.5 for Contractor's Cost Limitation)	12	Month	1,290.00	15,480.00
2004	Wastewater Treatment Chemicals				
2004AA	Wastewater Treatment Chemicals First 1,200 Tons	1200	Ton	124.60	149,520.00
2004AB	Wastewater Treatment Chemicals Over 1,200 Tons	1200	Ton	104.80	125,760.00
2004AC	Wastewater Treatment Chemicals Polymer Flocculant Note: Quantity is not to be exceeded.	350	Bag Bag = 50 lbs.	64.00	22,400.00
2005	Update O&M Manual	1	Lump Sum	10,000.00	10,000.00
2006	Contractor Changeover Transition Period. See C02220 - 1.4.2 - Applies only at end of contract period.	14	Day	0.00	0.00
TOTAL 2ND OPTION YEAR FIXED ITEMS					613,260.00

REQUIREMENTS ITEMS (Indefinite Quantity Work)

2007	Labor (Service Wages) Note: All labor service quantities are not to be exceeded.				
2007AA	Trouble/Service Call (Plant Operator Time - See H.2.5. For Limits)	500	Hour	36.50	18,250.00
2007AB	Electrician	400	Hour	40.00	16,000.00
2007AC	Plumbing/Pipefitting	100	Hour	36.50	3,650.00
2007AD	Machinery Maintenance Mechanic	250	Hour	45.00	11,250.00
2007AE	Welder, Combination, Maintenance	100	Hour	45.00	4,500.00

2007AF	Laborer	500	Hour	36.50	18,250.00
2007AG	Electrical Engineer	500	Hour	65.00	32,500.00
2007AH	Mechanical Engineer	500	Hour	76.50	38,250.00
2007AJ	Civil Engineering	500	Hour	76.50	38,250.00
2007AK	Process Engineer	500	Hour	80.00	40,000.00
2007AL	Miscellaneous Labor Note: The lump sum amount is not to be exceeded.	1	Lump Sum		500,000.00
2008	Materials Allowance Note: The lump sum amount is not to be exceeded.	1	Lump Sum		1,500,000.00
2009	Per Diem Note: Amount is not to be exceeded.	50	Manday	85.00	4,250.00
TOTAL 2ND OPTION YEAR REQUIREMENTS					2,225,150.00
TOTAL FOR THE 2ND OPTION YEAR					2,838,410.00
TOTAL FOR THE BASE AND TWO OPTIONS					8,483,890.00